

REMARKS

Reconsideration and allowance of the subject application are respectfully solicited.

COMMENT RE CITED DOCUMENT

Applicant wishes to advise the Examiner that U.S. Patent No. 6,483,098, which was cited in the September 30, 2005 Information Disclosure Statement, is in the family of JP-A 2000-183390, which was cited in the February 13, 2007 Information Disclosure Statement. Favorable consideration in this regard is earnestly solicited.

FURTHER REMARKS

Claims 1, 2, and 4 are pending, with Claim 1 being independent. Withdrawn Claims 6 through 16 have been cancelled without prejudice, as required. Claims 1 and 2 have been amended.

Claims 1, 2, and 4 again were rejected under 35 U.S.C. § 102 over EP 1 286 194 A2 (Ouchi, et al.) (and US 2003/0039455 A1 and US 6,829,398 B2), or under 35 U.S.C. § 103 over U.S. Patent No. 5,786,925 (Goosen, et al.). All rejections are respectfully traversed.

Claim 1 recites, *inter alia*, that an integral semiconductor body comprises each of the light emitting element and the substrate (having an optical path transforming structure), whereby a surface of the light emitting element and a surface of the substrate are attached to each other.

However, Applicant respectfully submits that neither of Ouchi, et al. and Goosen, et al. discloses or suggests at least the above-discussed claimed features as recited, *inter alia*, in Claim 1.

Applicant further respectfully submits that there has been no showing of any indication of motivation in the cited documents that would lead one having ordinary skill in the art to arrive at such claimed features. By means of such features, Applicant respectfully submits that the light emitting element and the optical path transforming structure are easily aligned so that the light emitted from the former can be coupled to the latter, and to an optical waveguide. Of course, the claims are not limited to the foregoing or to the disclosed embodiments. Further, the statement in the Official Action that negative limitations are entitled to no patentable weight is respectfully traversed.

The dependent claims are also submitted to be patentable because they set forth additional aspects of the present invention and are dependent from independent claims discussed above. Therefore, separate and individual consideration of each dependent claim is respectfully requested.

This Amendment After Final Rejection is an earnest attempt to advance prosecution and reduce the number of issues, and is believed to clearly place this application in condition for allowance. Furthermore, Applicant respectfully submits that a full appreciation of these amendments will not require undue time or effort given the Examiner's familiarity with this application. Moreover, this Amendment was not earlier presented because Applicant earnestly believed that the prior Amendment placed the subject application in condition for allowance. Accordingly, entry of this Amendment under 37 C.F.R. § 1.116 is respectfully requested.

Applicant submits that this application is in condition for allowance, and a Notice of Allowance is respectfully requested.

Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,

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